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REMARKS/ARGUMENTS

Applicant submits herewith two Declarations. The first is a Declaration of Kozo Akiyoshi, the president of Monolith Co. Ltd., the assignee of the present patent application as recorded at Reel/Frame: 012427/0671 on January 3, 2002. The second is a Declaration of Takeshi Aoki, an employee of the Primeworks patent agency firm, which handles the Japanese application from which the present application claims priority.

The examiner has rejected claims 1-33 under 35 U.S.C. 102 (a) as being anticipated by Hiraga et al., Japanese patent publication No. 02001092991A (the "Japanese Application"). As indicated in the enclosed Declarations, Mr. Hiraga is the inventor of the subject matter disclosed in the Japanese Application that is relied on in the rejection of the claims in the present US application. As such, the Japanese Application is not by "another" and therefore does not satisfy the requirements under 35 U.S.C. 102(a). Further, the Japanese Application was published less than one year prior to the filing date of the present US application and cannot be used as a basis for rejection under 35 U.S.C. 102(b). Applicant relies in particular on MPEP sections 706.2 (b), 715.01(a) and 715.04.

For clarity, applicant points out that, as indicated in the Declaration of Mr. Kozo Akiyoshi, a machine translation related to the Japanese Application may render Mr. Masaki Hiraga's given name as Tatamoto, in English, giving the impression that the Japanese Application may have a different inventorship than the present US application. However, as indicated in the enclosed Declarations, this is not the case.

Based on the above remarks/arguments and the enclosed Declarations, applicant submits that the examiner's rejection under 35 U.S.C.102 (a) has been traversed. As such, Applicant

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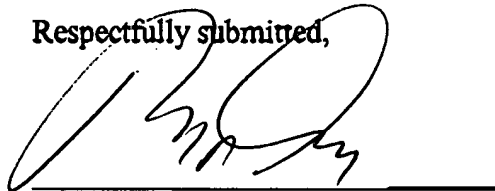
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that claims 1-33 are now in condition for allowance.

Conclusion:

In view of the foregoing remarks it is respectfully submitted that this application is in condition for allowance. Favourable consideration and prompt allowance are earnestly solicited.

Respectfully submitted,



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